

REMARKS

The Office Action of August 10, 2007 has been received and carefully reviewed. The preceding amendments and the following remarks form a full and complete response thereto. Claims 11-18 are amended as to form. No new matter is added. Accordingly, claims 11-18 are pending. Reconsideration and allowance of the pending claims are requested.

The Office Action rejected claims 11-12 and 14-17 under 35 U.S.C. § 102(b) as being anticipated by French patent publication FR2262167 to Pierre Savineau. Applicant respectfully traverses the rejection because the Office Action has failed to set out a prima facie case of anticipation. Savineau fails to disclose each limitation of the claims.

First, Savineau fails to disclose a beam and a beam tie that are mounted sliding relative to each other according to a finite sliding portion as claimed. The Office Action contends that Savineau elements 5 and 8 in Fig. 7 are equivalent, respectively, to the claimed beam and beam tie. This is clearly erroneous element because these elements 5 and 8 are not in any way shown to be sliding, much less sliding relative to each other in a finite sliding portion as claimed.

Second, Savineau fails to disclose a finite sliding portion as claimed. The Office Action contends that Savineau element 9 in Fig. 7 is equivalent to the claimed sliding portion. Applicant submits that element 9 cannot anticipate a sliding portion because element 9 is functionally described as a *tendeur*, or “tensioner.” See Savineau page 3, line 29. An element for tensioning is functionally at odds with an element for sliding. Furthermore, Savineau discloses that an embodiment of a tensioner may be a turnbuckle. See, e.g., Savineau page 3, line 14 (disclosing “*un tendeur 11, du type ridoir marine*,” where *ridoir marine* translates as “turnbuckle”). A turnbuckle is a threaded component which a person of ordinary skill in the art would not understand to have subcomponents sliding relative to each other. For at least these reasons, element 9 does not anticipate the claimed finite sliding portion.

Third, Savineau fails to disclose two posts ... stressed by the beam tie to pull them together as claimed. Fig. 7 of Savineau depicts that two elements labeled 8, asserted by the Office Action to be beam ties, are each attached to only a single element asserted by the Office Action to be a post, element 2 or 2a. Thus, elements 2 and 2a cannot be said to be stressed by an element 8 to pull elements 2 and 2a together. Therefore, for at least this and the above recited

reasons, the rejection of independent claim 11 and dependent claims 12 and 14-17 is improper and Applicant requests that the rejection be withdrawn.

Claim 13 was rejected under 35 U.S.C. § 103(a) as obvious in view of the combination of Savineau and U.S. patent 4,890,429 to Gatzka et al. Claim 13 is dependent on claim 11 and is at least patentable over Savineau for the same reasons as claim 11. Because Gatzka does not remedy the deficiencies of Savineau as discussed above, the rejection of claim 13 is improper and Applicant requests that the rejection be withdrawn.

Claim 18 was rejected under 35 U.S.C. § 103(a) as obvious in view of Savineau. Claim 18 is dependent on claim 11 and is at least patentable over Savineau for the same reasons as claim 11. Therefore the rejection of claim 18 is improper and Applicant requests that the rejection be withdrawn.

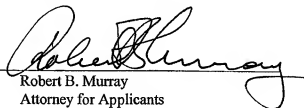
In view of the above remarks, it is believed that the claims satisfy the requirements of the patent statutes and are patentable over the cited art. Reconsideration of the instant application and early notice of allowance are requested. The Examiner is invited to telephone the undersigned if it is deemed to expedite allowance of the application.

Respectfully submitted,

Date:

Nov 9, 2001

By



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